

0047



**CONSOL ENERGY™**

INCOMING 0150015  
Task R#1692

Consolidation Coal Company  
P.O. Box 566  
Sesser, IL 62884  
Phone: (618) 625-2041  
Fax: (618) 625-6844

September 12, 2003

Mr. Lowell Braxton, Director  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

RECEIVED

SEP 12 2003

DIV. OF OIL, GAS & MINING

Re: Emery Deep Mine Permit C/015/015  
Amendment to MRP to abate NOV N03-39-1-1

Dear Mr. Braxton:

Please consider this an amendment to the Mine Reclamation Plan for the 4<sup>th</sup> East Portal of the above mentioned mine. The attachment includes all updated Plates and text concerning the addition of 1.5 acres to the permitted area. Also included is an amended Appendix X.C-3, which describes the engineering controls and other measures to be implemented in the near future at the 4<sup>th</sup> East portal in order to abate the NOV.

The agreement between Consol and C & P Coal, to do the work outlined in Appendix X.C-3, will be forwarded under separate cover letter. Also a copy of the Notice of Intent to DAQE will be forwarded to your office when complete.

If you have any questions concerning this request, please call me at (618) 625-6850.

Sincerely,

John Gefferth  
Permit Coordinator

CC: James Byars – Emery Mine  
Jonathan Pachter - CONSOL Energy  
Dan Baker – C & P Coal (attachments)

File in: C/0150015 Incoming  
Refer to Date Folder 09122003  
☐ Confidential  
☐ Shelf  
☒ Expandable  
For additional information

## APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Emery Deep

Permit Number: 015/015

Title: 4<sup>th</sup> East Portal Extension

Description, Include reason for application and timing required to implement:

Amendment to extend permit area to include area affected by wind blown coal fines.

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- |                                                                     |                                                                                                                                                                        |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: <u>1.5</u> Disturbed Area: <u>1.0</u> <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____                                                                                             |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?                                                          |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved?                                                                      |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?                                                              |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6. Does the application require or include public notice publication?                                                                                                  |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?                                                              |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?                                                              |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # <u>03-39-1-1</u>                                                                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?                                                                                 |
| <i>Explain:</i> _____                                               |                                                                                                                                                                        |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?                                                                              |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)                                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?                                                                      |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?                                                                |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement?                                                                                        |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?                                                                 |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?                                                              |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?                                                                   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation?                                                                                    |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?                                                                                          |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided?                                                                                                                  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?                                                                   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?                                                                  |

**Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter  
Print Name

Jonathan M. Pachter Manager, Environmental 9/5/03  
Sign Name, Position, Date Permitting

Subscribed and sworn to before me this 5 day of SEPTEMBER, 2003

Jane M. Young  
Notary Public  
My commission Expires: JUNE 20, 2005  
Attest: State of PENNSYLVANIA ) ss:  
County of ALLEGHENY

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Jane M. Young, Notary Public  
Upper St. Clair Twp., Allegheny County  
My Commission Expires June 20, 2005  
Member, Pennsylvania Association of Notaries

**For Office Use Only:**

Assigned Tracking  
Number:

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DIV. OF OIL, GAS & MINING

# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Consolidation Coal Company

Line: Emery Deep Mine

Permit Number: 015/015

Title: 4<sup>th</sup> East Portal Extension

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

|                                         |                                             |                                            |                                                                                                      |
|-----------------------------------------|---------------------------------------------|--------------------------------------------|------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter I, Appendix I-1, "Ownership & Control Information" update corporate structure                |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter I, Appendix I-3, "List of Permits", update permit listings                                   |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter I, Appendix I-4, "List of Violations", update violations for last three years                |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter II, Pages 17a thru 17f, 18, 25 and 28                                                        |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter III, Page 2, 5, 6, 12 and 21                                                                 |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter III, Appendix IV-B, "Bond Amount Computation", A-1 thru A-20                                 |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter IV, Pages 7, 7a & 7b                                                                         |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter IV, Figure IV-15                                                                             |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter IV, Appendix IV-7-G, Page 10a of 10                                                          |
| <input type="checkbox"/> Add            | <input type="checkbox"/> Replace            | <input checked="" type="checkbox"/> Remove | Chapter IV, Pages 10b of 10 thru 10f of 10                                                           |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter IV, Figure IV-16                                                                             |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter VI, Appendix VI-6, Pages 52a-1 thru 52a-8                                                    |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter VI, Appendix VI-6, SEDCAD Model "Full Containment 10yr/24hr Design Storm Sediment Pond #9"   |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter VI, Appendix VI-6, SEDCAD Model "Emergency Spillway 25yr/24hr Design Storm Sediment Pond #9" |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter VII, Table of Contents                                                                       |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter VII, Appendice VII-4                                                                         |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter VIII, Appendice VIII-3                                                                       |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter X, Part A, Table of Contents                                                                 |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter X, Part A, Page 1                                                                            |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter X, Part A, Page 1a                                                                           |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter X, Part A, Appendice 5-7                                                                     |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter X, Part C, Page 5a                                                                           |
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Replace            | <input type="checkbox"/> Remove            | Chapter X, Part C, Appendix X.C-3, "Norwest Study on Fugitive Dust Controls at 4th East              |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter II, Plate II-3, "4 East Portal Surface Facilities"                                           |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter III, Plate III-1, "4 East Portal Disturbance Area"                                           |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter III, Plate III-5, "4 East Portal Site Pre & Postminning Topography"                          |
| <input type="checkbox"/> Add            | <input checked="" type="checkbox"/> Replace | <input type="checkbox"/> Remove            | Chapter IV, Plates IV-3, Sheets 1 & 2 of 3, "4 East Portal Plan And Cross Sections"                  |
| <input type="checkbox"/> Add            | <input type="checkbox"/> Replace            | <input checked="" type="checkbox"/> Remove | Chapter IV, Plates IV-3, Sheets 3 of 3, "4 East Portal Plan And Cross Sections"                      |

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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**DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED**

☐ Add    ☒ Replace    ☐ Remove

Chapter VI, Plate VI-10a, 4 East Portal Site Surface Drainage Control Plan"

☐ Add    ☒ Replace    ☐ Remove

Chapter VI, Plate VI-12, "4 East Portal Temporary Stream Diversion Drainage Area Map"

☐ Add    ☒ Replace    ☐ Remove

**Chapter X, Plate X-A-1, "Permit Area Cultural Resources"**

☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove☐ Add    ☐ Replace    ☐ Remove

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